

JUDGE KOELT

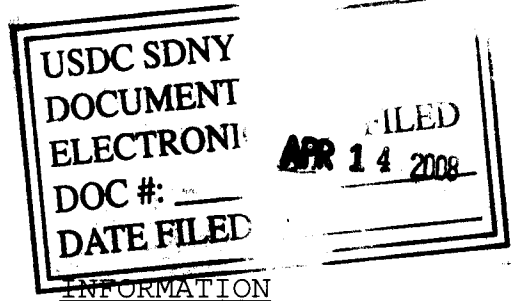
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

RICHARD PEREIRA,
a/k/a "Porter,"

Defendant.



08 Cr. 337

COUNT ONE

The United States Attorney charges:

1. In or about July 2007, in the Southern District of New York and elsewhere, RICHARD PEREIRA, the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that RICHARD PEREIRA, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, approximately one thousand pills containing a detectable amount of 3, 4-methylenedioxymethamphetamine ("MDMA" or "Ecstasy"), in violation of Sections 812, 841(a)(1) and 841(b)(1)(C) of Title 21, United States Code.

OVERT ACT

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York:

a. On or about July 18, 2007, in New York, New York, RICHARD PEREIRA, a/k/a "Porter," the defendant, agreed to provide another individual with 1,000 pills of ecstasy.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

4. As a result of committing the controlled substance offense alleged in Count One of this Information, RICHARD PEREIRA, a/k/a "Porter," the defendant, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Information.

Substitute Asset Provision

i. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or

deposited with, a third person;


(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1), 846, and 853.)



MICHAEL J. GARCIA
UNITED STATES ATTORNEY

Form No. USA-33s-274 (Ed. 9-25-58)

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SOUTHERN DISTRICT OF NEW YORK

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- v. -

RICHARD PEREIRA,
a/k/a "Porter,"

Defendant.

INFORMATION

08 Cr. _____

(Title 21, United States Code,
Section 846)

MICHAEL J. GARCIA
United States Attorney.

April 14, 2008 - Filed Waiver of Indictment and Information.
Def. pres. w/ Atty: Scott TOLMAN. Aust: NOLA Heller & At. Rept. present.
Def. pleads not guilty. Filed Consent to Proceed Before A U.S.M.
on a Felony Plea Allocation. Def. withdraws not guilty plea &
pleads Guilty as Charged. MAG. JUDGE FREEMAN recommends that
Judge Koeltl accept the proffered Plea Allocation to the one
count INFORMATION filed. PSI ordered. Sentence 7/11/08.
Def. could be detained.

Freeman, USM